

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DAVID ALLEN CARSON #193706,

Case No. 2:04-CV-234

Plaintiff,

v.

Hon. Richard Alan Enslen

GERALD RILEY,
SARAH SCHROEDER and
WAYNE TRIERWEILER,

Defendants.

ORDER

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Plaintiff David Allen Carson has moved for reconsideration of the Order of August 4, 2005, which determined that he was a “three strike” prisoner pursuant to 28 U.S.C. § 1915(g) and was not permitted to proceed *in forma pauperis* in this suit. Plaintiff has, in the alternative, moved for an extension so that he may seek the assistance of others to pay the filing fee.

Pursuant to Western District of Michigan Local Civil Rule 7.4(a), reconsideration is appropriate only when the movant “demonstrate[s] a palpable defect by which the Court and the parties have been mislead . . . [and] that a different disposition must result from the correction thereof.” Plaintiff’s Motion for Reconsideration fails to meet this standard, as well as the standards for relief under Federal Rules of Civil Procedure 59 and 60. As such, it will be denied. However, the Court believes that an equitable extension of time to permit Plaintiff to obtain assistance in the payment of the filing fee is reasonable and proper.

THEREFORE, IT IS HEREBY ORDERED that Plaintiff David Allen Carson’s Motion for Reconsideration (Dkt. No. 29) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's Motion for Extension (Dkt. No. 30) is **GRANTED** and Plaintiff shall have until October 4, 2005 to pay the complete filing fee (\$150.00) to avoid dismissal.

DATED in Kalamazoo, MI:
September 14, 2005

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE